

QLDC Council
30 June 2022**Report for Agenda Item | Rīpoata moto e Rāraki take [3]****Department: Corporate Services****Title | Taitara Otago Civil Defence Emergency Management (CDEM) Partnership Agreement****PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO**

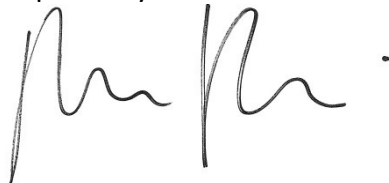
The purpose of this report is to seek Council approval of a written agreement describing the partnership arrangement between the Queenstown Lakes District Council and the Otago Regional Council (ORC) and the four other territorial authorities of Otago for the delivery of civil defence and emergency management (CDEM) responsibilities within the Otago CDEM Group area.

RECOMMENDATION | NGĀ TŪTOHUNGA

That Council:

1. **Note** the contents of this report;
2. **Approve** the Otago Civil Defence and Emergency Management Partnership Agreement; and
3. **Authorise** the Mayor and Chief Executive (Queenstown Lakes District Council) to sign the agreement on behalf of Council.

Prepared by:

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Title: GM Corporate Services

9/06/2022

Reviewed and Authorised by:

Name: Mike Theelen
Title: Chief Executive

16/06/2022

CONTEXT | HOROPAKI

- 1 The Otago Regional Council (ORC) and the five Otago territorial authorities have responsibilities under the Civil Defence and Emergency Management Act 2002 within the Otago CDEM Group area. Whilst the Act prescribes governance and oversight arrangements for the CDEM functions undertaken by local authorities. The Otago Group has discretion on how it chooses to deliver the responsibilities and the associated delivery structure. For the Otago CDEM Group those responsibilities are delivered through Emergency Management Otago with support from each local authority.
- 2 Although the current structure has now been in place since 2016 and ratified by the Joint Committee structure (Mayoral Governance Group), no formal agreement has been in place between the ORC and the five Otago territorial authorities.
- 3 The Council has historically worked within an MOU with ORC which has posed a low, if any risk and QLDC has worked closely with the group operationally (current arrangements are fit for purpose) the formal agreement helps to define the ORC CDEM responsibilities.
- 4 There is no legal requirement to have a written agreement, but it is considered good practice. The ten year time frame for the agreement aligns with the Group Plan (10 Years) and creates stability for staff.
- 5 This document seeks to give clarity to areas including but not limited to:
 - Governance and Management
 - Equipment
 - Facilities
 - Financial Management
 - Hazard and Risk Management
 - Lifeline Utilities



Otago CDEM Group area

- 6 The Coordinating Executive Group met on 18 March 2022 and endorsed this agreement recommending that it be forwarded to the Joint Committee (Mayors) for ratification.
- 7 The Joint Committee met on 31 March 2022 and recommended that this agreement be socialised amongst all Otago councils. Members of the Joint Committee wanted to ensure they had the mandate bestowed on them by their respective councils prior to signing.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

- 8 Option 1 Approve the Partnership Agreement.

Advantages:

- 9 The agreement will formally define roles and responsibilities, particularly those held by ORC.

Disadvantages:

- 10 The agreement is not a statutory requirement and it is difficult to see any disadvantage other than a potential failure to review and align with changes to legislation (covered in the agreement) or a failure on the part of the ORC to uphold its responsibilities

- 11 Option 2 Status quo. Continue to deliver CDEM functions in the absence of a formal agreement.

Advantages:

- 12 This can be done in accordance with meeting QLDC obligations under the Emergency Management Act.

Disadvantages:

- 13 Some lack of clarity in regard to ORC accountability.
- 14 This report recommends **Option 1** for addressing the matter because it will make accountability clear, offer stability to the group structure and align with the Group Plan (10 Years).

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

> SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

- 15 This matter is of low significance, because it is not mandatory however it is important in terms of defining roles and responsibilities.

RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

- 16 This matter relates to the Financial risk category. It is associated with RISK00037 Lack of Alignment - Key relationships within the QLDC Risk Register. This risk has been assessed as having a moderate inherent risk rating.
- 17 The approval of the recommended option will support the Council by allowing us to implement additional controls for this risk.

FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

- 19 None. The funding responsibilities and the decision-making process for funding the EMO activity are described in the proposed agreement.

LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA

- 20 The recommended option:
 - Will help meet the current and future needs of communities for Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.
 - Can be implemented through current funding under the Ten Year Plan and Annual Plan;
 - Is consistent with the Council's plans and policies; and
 - Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

ATTACHMENTS | NGĀ TĀPIRIHANGA

A	Otago CDEM Partnership Agreement
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